



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

March 29, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

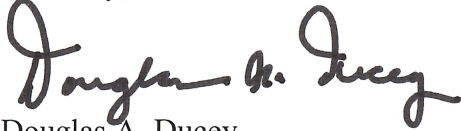
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on March 29, 2018:

HB 2035 deferred compensation plans; governing committee (Livingston)
HB 2156 legislative vacancy; appointment; time frame (Coleman)
HB 2196 certificates of necessity; hearings; duration (Carter)
HB 2242 fire districts; revisions; county islands (Farnsworth, E.)
HB 2258 diabetes; annual report (Carter)
HB 2412 leave of absence; day; definition (Shope)
HB 2477 high school mathematics; proficiency; notification (Udall)
HB 2505 converted entities; claims (Cobb)
HB 2513 hyperbaric oxygen therapy; veterans; fund (Finchem)
HB 2536 dual enrollment; homeschooled children (Bowers)
SB 1073 orthotics; prosthetic devices; valid prescription (Brophy McGee)
SB 1111 workers' compensation; opioids; dispensed medications (Fann)
SB 1204 trusts and estates (Worsley)
SB 1253 game and fish; licenses; fees (Griffin)
SB 1294 tax corrections act of 2018 (Farnsworth, D.)
SB 1401 ignition interlock device; installer; manufacturer (Worsley)
SB 1405 corporate income tax allocation; sales (Fann)
SB 1422 universities; tuition and fees (Griffin)

SB 1499 community facilities districts; directors (Smith)
SB 1502 ignition interlock device; incarceration credits (Smith)
SB 1518 department of child safety; reports (Brophy McGee)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 93

HOUSE BILL 2242

AN ACT

AMENDING SECTION 48-851, ARIZONA REVISED STATUTES; RELATING TO
NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 48-851, Arizona Revised Statutes, is amended to
3 read:

4 48-851. Noncontiguous county island fire district: formation;
5 alternate formation; definition

6 A. A noncontiguous county island fire district ~~shall be~~ IS formed
7 by the following procedures:

8 1. One or more persons who wish to petition for a noncontiguous
9 county island fire district shall request and the county assessor shall
10 provide a map and a detailed list of all property parcels that includes
11 the assessed values of all of the county island areas that are contained
12 within the municipal planning area of a city.

13 2. Within sixty days after receiving a map from the county
14 assessor, the person shall submit a revised map that indicates those
15 county island areas that are proposed to be included in the noncontiguous
16 county island fire district and shall submit a district impact statement
17 that shall contain at least the following:

18 (a) A general description of the boundaries of the proposed
19 district, a map of the area to be included in the district and a list of
20 the parcels to be included in the district by assessor parcel number.

21 (b) An estimate of the assessed valuation within the proposed
22 district.

23 (c) An estimate of the change in the property tax liability, as a
24 result of the proposed district, of a typical resident of the proposed
25 district.

26 (d) A list and explanation of benefits that will result from the
27 proposed district.

28 (e) A list and explanation of the injuries that will result from
29 the proposed district.

30 (f) The names, addresses and occupations of the three proposed
31 members of the district's organizing board of directors.

32 (g) A description of the scope of services to be provided by the
33 district during its first five years of operation.

34 3. On receipt of the revised map and the impact statement, the
35 board of supervisors shall set a day for a hearing on the proposed
36 district formation not more than sixty days from the date the map and
37 impact statement are received.

38 4. The clerk of the board of supervisors shall mail, by first class
39 mail, written notice of the day, hour and place of the hearing on the
40 proposed district to each owner of taxable property within the boundaries
41 of the proposed district. The written notice shall state the purpose of
42 the hearing and shall state where a copy of the impact statement may be
43 viewed or requested. The clerk of the board of supervisors shall post the
44 notice in at least three conspicuous public places in the area of the
45 proposed district and shall publish twice in a daily newspaper of general

1 circulation in the area of the proposed district, at least ten days before
2 the hearing, or, if no daily newspaper of general circulation exists in
3 the area of the proposed district, at least twice at any time before the
4 date of the hearing, a notice ~~setting forth~~ STATING the purpose of the
5 proposed district formation, the description of the area of the proposed
6 district and the day, hour and place of the hearing.

7 5. At the hearing called pursuant to paragraph 3 of this
8 subsection, the board of supervisors shall hear those who appear for and
9 against the proposed district and shall determine whether the creation of
10 the district will promote public health, comfort, convenience, necessity
11 or welfare. If the board of supervisors determines that the public
12 health, comfort, convenience, necessity or welfare will be promoted, it
13 shall authorize the persons proposing the district to circulate petitions
14 as provided in this subsection. The order of the board of supervisors
15 ~~shall be~~ IS final, but if the request to circulate petitions is denied, a
16 subsequent request for a similar district may be refiled with the board of
17 supervisors after six months from the date of the denial.

18 6. Within fifteen days after receiving the approval of the board of
19 supervisors as prescribed by paragraph 5 of this subsection, the clerk of
20 the board shall:

21 (a) Determine the minimum number of signatures required for
22 compliance with paragraph 8, subdivision (b) of this subsection. After
23 making that determination, that number of signatures shall remain fixed.

24 (b) Certify whether the petition form to be used is valid and in
25 compliance with section 48-266.

26 7. After receiving the approval of the board of supervisors as
27 provided in paragraph 5 of this subsection, any adult person may circulate
28 and present petitions to the board of supervisors of the county in which
29 the district is located. All petitions circulated shall be returned to
30 the board of supervisors within one year from the date of the approval of
31 the board of supervisors pursuant to paragraph 5 of this subsection. Any
32 petition that is returned more than one year from that date is void.

33 8. The petitions presented pursuant to paragraph 7 of this
34 subsection shall comply with the provisions regarding verification in
35 section 48-266 and shall:

36 (a) At all times, contain a general description of the boundaries
37 of the proposed district, the assessor's map of the proposed district and
38 the names, addresses and occupations of the proposed members of the
39 district's organizing board of directors. No alteration of the proposed
40 district shall be made after receiving the approval of the board of
41 supervisors as provided in paragraph 5 of this subsection.

42 (b) Be signed by more than one-half of the aggregate number of
43 property owners in the county island areas contained in the proposed
44 district.

1 9. On receipt of the petitions, the board of supervisors shall set
2 a day, not more than thirty days from that date, for a hearing on the
3 petition.

4 10. Before the hearing called pursuant to paragraph 9 of this
5 subsection, the board of supervisors shall determine the validity of the
6 petition signatures presented. At the hearing called pursuant to
7 paragraph 9 of this subsection, the board of supervisors, if the petitions
8 are valid, shall order the formation of the district. The board of
9 supervisors shall enter its order ~~setting forth~~ STATING its determination
10 in the minutes of the meeting, not later than ten days from the day of the
11 hearing, and a copy of the order shall be filed in the county recorder's
12 office. The order of the board of supervisors ~~shall be~~ IS final, and the
13 proposed district is formed thirty days after the board of supervisors
14 votes to form the district. A decision of the board of supervisors under
15 this subsection is subject to judicial review under title 12, chapter 7,
16 article 6.

17 B. For the purpose of determining the validity of the petitions
18 presented pursuant to subsection A, paragraph 7 of this section, property
19 held in multiple ownership shall be treated as if it had only one property
20 owner, so that the signature of only one of the owners of property held in
21 multiple ownership is required on the formation petition.

22 C. If a district is formed pursuant to this section, the cost of
23 publication of the notice of hearing and the mailing of notices to
24 electors and property owners and all other costs incurred by the county as
25 a result of this section shall be a charge against the district.

26 D. A district organized pursuant to this section shall have an
27 organizing board of directors to administer the affairs of the district
28 until a duly constituted board of directors is elected as provided in this
29 title. The organizing board ~~shall have~~ HAS all the powers, duties and
30 responsibilities of an elected board. The organizing board shall consist
31 of the three individuals named in the petitions presented pursuant to
32 subsection A of this section. If a vacancy occurs on the organizing
33 board, the remaining board members shall fill the vacancy by appointing an
34 interim member. Members of the organizing board shall serve without
35 compensation but may be reimbursed for actual expenses incurred in
36 performing their duties. The organizing board shall elect from its
37 members a chairperson and a clerk. For any challenge to the formation of
38 the district, the district board is a proper party to the challenge and
39 any petition circulators are not proper parties.

40 E. NOTWITHSTANDING SUBSECTIONS A, B, C AND D OF THIS SECTION, AN
41 ALTERNATE FORM OF A NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICT MAY BE
42 ESTABLISHED IF A FIRE DISTRICT ORGANIZED PURSUANT TO SECTION 48-261 THAT
43 IS SURROUNDED BY INCORPORATED AREAS IN A COUNTY AND THAT CONTRACTS FOR
44 FIRE PROTECTION SERVICES FROM AN ADJACENT MUNICIPALITY RECEIVES APPROVAL

1 FROM THE COUNTY BOARD OF SUPERVISORS TO REFORM AS A NONCONTIGUOUS COUNTY
2 ISLAND FIRE DISTRICT THAT OPERATES PURSUANT TO THIS ARTICLE AS FOLLOWS:

3 1. THE FIRE DISTRICT BOARD OF DIRECTORS SETS A DATE FOR A HEARING
4 ON THE ISSUE OF DISTRICT REFORMATION PURSUANT TO THIS ARTICLE. THE
5 HEARING SHALL BE HELD NOT LESS THAN THIRTY DAYS OR MORE THAN SIXTY DAYS
6 AFTER THE BOARD OF DIRECTORS MAILED NOTICE OF THE DATE OF THE HEARING.

7 2. THE NOTICE OF HEARING SHALL BE MAILED BY FIRST CLASS MAIL TO
8 EACH OWNER OF TAXABLE PROPERTY WITHIN THE DISTRICT AND SHALL INCLUDE THE
9 DATE, TIME AND PLACE OF THE HEARING AND A BRIEF DESCRIPTION OF THE
10 PROPOSED REFORMATION OF THE DISTRICT.

11 3. AT THE HEARING, THE DISTRICT BOARD SHALL HEAR THOSE WHO APPEAR
12 FOR AND AGAINST THE PROPOSED REFORMATION OF THE DISTRICT AND SHALL
13 DETERMINE WHETHER THE REFORMATION OF THE DISTRICT WILL PROMOTE THE PUBLIC
14 HEALTH, COMFORT, CONVENIENCE, NECESSITY OR WELFARE. IF THE DISTRICT BOARD
15 DETERMINES THE PUBLIC HEALTH, COMFORT, CONVENIENCE, NECESSITY OR WELFARE
16 WILL BE PROMOTED, THE DISTRICT BOARD SHALL APPROVE THE PROPOSED
17 REFORMATION OF THE DISTRICT UNDER THIS ARTICLE AND SHALL NOTIFY THE COUNTY
18 BOARD OF SUPERVISORS.

19 4. ON RECEIPT OF NOTICE FROM THE DISTRICT BOARD AND AFTER PROVIDING
20 ANY INFORMATION THAT THE COUNTY BOARD OF SUPERVISORS DEEMS RELEVANT OR
21 NECESSARY, THE COUNTY BOARD OF SUPERVISORS SHALL DETERMINE WHETHER THE
22 FIRE DISTRICT MAY REFORM AS A NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICT.
23 THE DECISION OF THE COUNTY BOARD OF SUPERVISORS IS FINAL.

24 5. IF THE COUNTY BOARD OF SUPERVISORS APPROVES THE REFORMATION OF
25 THE DISTRICT, THAT REFORMATION IS EFFECTIVE AND THE FIRE DISTRICT IS
26 REFORMED AS A NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICT SIXTY DAYS AFTER
27 THE DATE OF APPROVAL.

28 6. THE REFORMED NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICT RETAINS
29 ALL EXISTING BOARD MEMBERS AND THEIR TERMS OF OFFICE, ITS TAXING AUTHORITY
30 AND FUND BALANCES AND ITS CONTRACTS, ASSETS AND LIABILITIES. THE REFORMED
31 NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICT DOES NOT CONSTITUTE A NEW OR
32 SEPARATE LEGAL ENTITY BUT IS DEEMED A CONTINUATION OF THE PREVIOUS LEGAL
33 ENTITY.

34 7. ON COMPLETION OF THE REFORMATION OF THE FIRE DISTRICT, THE
35 COUNTY BOARD OF SUPERVISORS MAY ASSIGN THE TERRITORY OF THE FIRE DISTRICT
36 TO A MUNICIPAL PLANNING AREA SOLELY FOR THE PURPOSE OF CONTRACTING FOR
37 FIRE PROTECTION SERVICES.

38 ~~E.~~ F. For the purposes of this article, "noncontiguous county
39 island fire district" means a district that is formed pursuant to this
40 section and for which EITHER:

1 1. All of the following apply:

2 ~~1.~~ (a) The district consists of only noncontiguous county islands
3 in a geographic boundary area that is contained in a municipal planning
4 area and is within the boundaries of an automatic aid or mutual aid
5 consortium.

6 ~~2.~~ (b) Fire protection services are not funded pursuant to section
7 48-807 at the time of the district's formation.

8 ~~3.~~ (c) There is only one fire district within the geographic area
9 of the municipal planning area for any one city or town.

10 2. THE DISTRICT IS REFORMED AS A NONCONTIGUOUS COUNTY ISLAND FIRE
11 DISTRICT AS PRESCRIBED BY SUBSECTION E OF THIS SECTION.

APPROVED BY THE GOVERNOR MARCH 29, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2018

Passed the House February 8, 20 18

Passed the Senate March 27, 20 18

by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

☐ Pro Tempore

[Signature]
Chief Clerk of the House

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

28th day of March, 20 18

at 11:30 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 29th day of

March 2018

at 11:50 o'clock A M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 29 day of March, 20 18

at 3:04 o'clock P. M.

[Signature]
Secretary of State

H.B. 2242